

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Ramiro TREVINO

Defendant

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Case No. C-10-535m

United States Courts
Southern District of Texas
FILED

MAY 18 2010

David J. Bradley, Clerk of Court

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 05-17-2010 in the county of Brooks in the Southern District of
Texas, the defendant violated 21 U. S. C. § 841(a)(1),
an offense described as follows:

Knowingly, intentionally and unlawfully possess with intent to distribute a
controlled substance in Schedule I of the Controlled Substance Act of 1970, to wit
6.8 kilograms (approximate gross weight) of marijuana

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 05-18-2010

City and state: Corpus Christi, Texas


Complainant's signature

Sean Argyros, Special Agent
Printed name and title


Judge's signature

Brian L. Owsley, US Magistrate Judge
Printed name and title

Attachment A SA

On May 17, 2010, United States Border Patrol Agent (BPA) Oscar Ortiz was assigned Canine duties at the US Border Patrol Checkpoint located thirteen miles south of Falfurrias, Texas on Highway 281. At approximately 1:40 a.m. an Americanos Bus (60611) arrived at the checkpoint for an immigration inspection of its passengers. While BPA Abraham Puente conducted immigration inspections BPA Ortiz utilized his Service Canine Peppie to perform a free air non-intrusive sniff of the bus. While walking around the bus Canine "Peppie" alerted to a black suitcase that was in the lower luggage compartment. BPA Ortiz asked BPA Puente if BPA Puente could locate the rightful owner of the suitcase. A few minutes later BPA Puente escorted a male subject off the bus. The subject was later identified as TREVINO, Ramiro.

BPA Ortiz asked TREVINO if the black suitcase was his and TREVINO stated "Yes, Sir". BPA Ortiz asked TREVINO what was inside the suitcase and TREVINO stated "My clothes". BPA Ortiz asked TREVINO if BPA Ortiz could open the suitcase and TREVINO stated "You can open it if you want to Sir". Before BPA Ortiz opened the suitcase BPA Ortiz asked TREVINO once again what TREVINO had inside the suitcase and TREVINO stated "It's my clothes and some drugs". BPA Ortiz asked what sort of drugs TREVINO had in the suitcase and TREVINO stated "It's only ten pounds of marijuana". TREVINO was placed under arrest and escorted inside the checkpoint for processing.

Inside the checkpoint BPA Ortiz read TREVINO his Miranda Rights in both the English and Spanish language because TREVINO stated that he did not know how to read. BPA Antonio Cortez witnessed the reading of the rights. TREVINO signed both forms indicating that he understood his rights and stated that he was aware of his rights because he had had several arrests before. BPA Ortiz asked TREVINO where TREVINO had obtained the marijuana and TREVINO stated that TREVINO had paid \$100.00 per pound in the Rio Grande Valley and was taking the marijuana to Michigan to sell it. TREVINO did not specify where TREVINO obtained the marijuana from nor did TREVINO mention the name of the person who sold TREVINO the marijuana. BPA Ortiz asked TREVINO if TREVINO already had a buyer lined up, and TREVINO stated "No, but there is always someone looking to buy some".

A total of 12 bundles of marijuana wrapped in vacuum sealed bags were seized from TREVINO's suitcase. The approximate gross weight of the marijuana is 6.8 kilograms. The amount of marijuana seized infers the intent to distribute.

Chief Assistant United States Attorney Ken Cusick approved federal prosecution of TREVINO.